UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

AUTONATION, INC.; COSTA MESA CARS, INC. D/B/A AUTONATION HONDA COSTA MESA F/K/A POWER HONDA COSTA MESA

and

Case 21-CA-123072

MICHAEL APPLEBAUM

ORDER¹

The Employer's petition to revoke subpoena duces tecum B-737509 is denied. The subpoena seeks information relevant to the matter under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Employer has failed to establish any other legal basis for revoking the subpoena. See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., July 23, 2014.

MARK GASTON PEARCE, CHAIRMAN

PHILIP A. MISCIMARRA, MEMBER

NANCY SCHIFFER, MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.